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U.S. Patent end Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Peperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. RADEM **Application Number** 09/960,069 TRANSMITTAL Filing Date September 21, 2001 **FORM** First Named inventor Wendell D. Willingham (to be used for all correspondence after initial filing) **Group Art Unit** Confirmation No. **Examiner Name** Total Number of Pages in This Submission Attorney Docket Number 17666USA/01215 **ENCLOSURES** (check all that apply) Assignment Papers (for an Application) Fee Transmittal Form After Allowance Communication to Group Fee Attached Appeal Communication to Board Drawing(s) of Appeals and Interferences Amendment / Reply Licensing-related Papers Appeal Communication to Group (Appeal Notice, Bitef, Reply Brief) After Final Petition Proprietary Information Petition to Convert to a Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Address **Extension of Time Request** Other Endosure(s) (please Identify below): Terminal Disclaimer Transmittal of Substitute .. **Express Abandonment Request** Request for Retund Declaration Substitute Declaration Information Disclosure Statement CD, Number of CD(s)\_ Return Postcard **Certified Copy of Priority** Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Thomas A. Meehan, Esq. Emch, Schaffer, Schaub & Porcello Co., L.P.A. Individual name Signature Date CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Typed or printed name Kathy A. Hower Signature

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Wendell D. Willingham et al.

Exr.

Serial No: 09/960,069

Art Unit: 3727

Filed: September 21, 2001

Confirmation No.: 4390

**CLOSURE WITH GAS-BARRIER LINER** 

AND PACKAGE INCORPORATING SAME

Commissioner of Patents and Trademarks Washington, D.C. 20231

March 29, 2002

## Transmittal Of Substitute Declaration

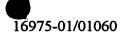
Sir:

Pursuant to MPEP §602.02, applicants are enclosing a Substitute Declaration for filing in this application.

The original Declaration erroneously identified the citizenship of Rodney M. Druitt, one of the joint inventors, as United Kingdom, whereas Mr. Druitt, though he resides in the United Kingdom, is a citizen of Australia.

The enclosed Substitute Declaration, which has been signed only by Mr. Druitt, correctly identifies his citizenship as "Australian"; the enclosed Substitute Declaration makes no other changes with respect to the identity of Mr. Druitt.

It is respectfully submitted, under MPEP §602.02, that the enclosed Substitute Declaration may be "taken together" with the original Declaration in



this application to "give all the required data," and that "no further oath or declaration is required."

Respectfully submitted,

Thomas A. Meehan

Reg. No. 19,713

Emch, Schaffer, Schaub & Porcello Co., L.P.A. One SeaGate, Suite 1980 P.O. Box 916 Toledo, OH 43697-0916 (419) 243-1294 TAM/kah

PTO/SB/01 (12-97)
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SUBSTITUTE	Attorney Docket Nur	nber	17666 U	SA		
DECLARATION FOR UTILITY OR DESIGN	First Named Invento	r	Wendell D	. Willingham		
PATENT APPLICATION	COMPLETE IF KNOWN					
(37 CFR 1.63)	Application Number	09	09/ 96	0,069		
UNDER MPEP 602.02	Filing Date	Sep	tember 21,	2001		
Declaration Declaration Submitted OR Submitted after initial	Group Art Unit		3727			
with Initial Filing (surcharge Filing (37 CFR 1.16 (e)) required)	Examiner Name					

As a below named Import	4 1 hh dt 41		<del></del>	<del></del>	<del></del>				
As a below named inventor, i hereby declare that:									
My residence, post office address, and citizenship are as stated below next to my name.									
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:									
Closure With Gas-Barrier Liner And Package Incorporating Same 🚍 🛱									
the specification of which le stached hereto OR	(TI	tle of the invention)		MAIL	E1VE1				
was filed on (MM/DD/YYYY) 09/21/2001 as United States Application Number or PCT International									
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I hereby state that I have re-	lewed and understand the	contents of the above ider	tified specification	on, including the d	dalms, as				
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I acknowledge the duty to dis	sclose information which is	material to patentability as	defined in 37 C	FR 1.56.					
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 385(b) of any foreign application(s) for patent or inventor's certificate, or 385(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.									
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Cop	py Attached?				
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Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto: I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.									
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[Page 1 of 2]
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PTO/88/01 (12-97)

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## **DECLARATION**

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page \_\_\_\_ of \_\_\_\_

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Name of Addition	A petition has been filed for this unsigned inventor										
Given Name (first and middle [if any])				Family Name or Sumame							
Rodney M.				Druitt						-	
Inventor's Signature	/ Rushmuts								19/3/02 Date		
Residence: City	Warwickshire	State		و	ountry	UK .		Citizenshi	p /	Australia	
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Name of Additio	nal Joint Inventor, if a	ny:			A petitic	on has been file	d for th	is unsigne	d Inv	rentor	
Given Na	ime (first and middle [if any	/])		Family Name or Surname							
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inventor's Signature	·			,				Date			
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